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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

20 LINDSEY LABELLA, MICHAEL PAWSON,
21 and STACEY RODGERS, individually and on
behalf of all others similarly situated,

22 Plaintiff,

23 v.

24 APPLE INC., a California corporation,

25 Defendant.
26

Case No. 5:24-cv-07588 PCP

**STIPULATION AND [PROPOSED]
ORDER SETTING MOTION TO
DISMISS BRIEFING SCHEDULE**

Compl. Filed: November 1, 2024

1 Plaintiffs Lindsey LaBella, Michael Pawson, and Stacey Rodgers and Defendant Apple
2 Inc. (collectively the “Parties”), by and through their respective attorneys of record, hereby
3 stipulate and agree as follows:

4 WHEREAS, Plaintiffs filed their Complaint on November 1, 2024 (ECF No. 1), which
5 was served on Apple on November 6, 2024 (see ECF No. 7);

6 WHEREAS, Apple’s current deadline to respond to the Complaint is November 27, 2024;

7 WHEREAS, the Parties have conferred and agree, pursuant to Local Rule 6-1(a), to the
8 following briefing schedule for Apple’s motion to dismiss the Complaint:

- 9 • Apple’s motion to dismiss shall be due January 16, 2024;
- 10 • Plaintiffs’ opposition to Apple’s motion to dismiss shall be due February 27; and
- 11 • Apple’s reply in support of its motion to dismiss shall be due March 27, 2024.

12 WHEREAS, no prior stipulations or orders upon stipulation (modifying time or otherwise)
13 have been either submitted or granted in this matter, and the granting of this stipulation will not
14 otherwise affect any other deadlines in this case;

15 NOW THEREFORE, the undersigned parties hereby stipulate and agree, and respectfully
16 request, that the Court enter an order setting the briefing schedule on Apple’s forthcoming motion
17 to dismiss as follows: (i) Apple’s motion to dismiss shall be filed no later than January 16, 2025,
18 (ii) Plaintiffs’ opposition shall be filed no later than February 27, 2024, and (iii) Apple’s reply in
19 support of its motion to dismiss shall be filed no later than March 27, 2024.

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21 **IT IS SO STIPULATED.**
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2 Dated: November 25, 2024

MORRISON & FOERSTER LLP

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4 By: /s/ Camila A. Tapernoux

CAMILA A. TAPERNOUX

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11 Attorneys for Defendant

12 APPLE INC.

1 Dated: November 25, 2024

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3 By: /s/ Anna C. Haac
Anna C. Haac

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18 *Counsel for Plaintiffs and the Proposed Class*

ATTESTATION

I, Camila A. Tapernoux, attest that for all conformed signatures indicated by a “/s/,” the signatory has concurred in the filing of this document.

Dated: November 25, 2024

/s/ Camila A. Tapernoux

[PROPOSED] ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: November __, 2024

Honorable P. Casey Pitts
United States District Judge